

TIVERTON CHARTER REVIEW COMMISSION

Regular meeting minutes: April 26, 2008

AS AMENDED ON 05/07/08

1: Call to order

Chair Cecil Leonard called the meeting to order at 12:00 pm at the Tiverton Town Hall

Members present: Laura Epke, Ray Medeiros, Deb Pallasch, Stanley Zeramby, Diane Harris, F. Marshall, Richard Joslin, Bob Koohy

2: Approval of minutes

None.

3. Commission discussion:

Commission reviewed working document for progress report on ballot language. R. Joslin reported that he would be unable to complete the language for item #6. D. Pallasch agreed to write the suggested charter language. Mr. Joslin also referenced a previous email he had recently sent to the Commission for placement in the record. See attached.

FTM alternative – Commission reviewed the document prepared by L. Epke containing suggested changes for all Charter sections which reference the FTM (except for Article III “Financial Town Meeting”, which would be discussed at a later meeting).

- Motion by R. Medeiros, seconded by D. Pallasch, to accept the suggested changes relative to section 407, Powers and Duties of the TC. L. Epke, R. Medeiros, D. Pallasch, S. Zeramby, D. Harris, F. Marshall, B. Koohy, C. Leonard in favor. R. Joslin abstained.
- Motion by R. Medeiros, seconded by D. Pallasch, to accept the suggested changes relative to section 602, Duties and Responsibilities of the Treas. Motion passed unanimously.

- After substantial discussion, it was determined that based on the info provided by Mr. Teitz at the last meeting, as well as other discussion among the Commission, that the current alternative being discussed was substantially different than the option that had been previously approved. Therefore, a new motion was called for by the Chair.
 - Motion made by D. Harris, seconded by C. Leonard, to put forth an alternative for the FTM that would call for an all-day referendum based upon a recommendation from the Budget Committee. The vote would be up or down. A down vote would call for level funding plus monies to accommodate debt plus a cost of living adjustment. ~~A down vote would also allow a citizen petition to call for a new referendum.~~ (AMENDED 05/07/08)
 - In favor – D. Harris, C. Leonard, S. Zeramby, B. Koohy, R. Joslin
 - Against – F. Marshall, R. Medeiros, L. Epke, D. Pallasch
- Motion by C. Leonard, seconded by D. Pallasch, to accept the suggested changes relative to section 802, Town Sergeant. L. Epke, R. Medeiros, D. Pallasch, S. Zeramby, D. Harris, R. Joslin, C. Leonard, B. Koohy in favor. F. Marshall against.
- Motion by C. Leonard, seconded by D. Harris, to accept the suggested changes relative to section 902 and 903, Police Dept and Fire and Rescue Dept. Motion passed unanimously.
- Motion by D. Harris, seconded by D. Pallasch, to accept the suggestion to remove section 1101(b), School Committee Compensation, from the Charter. Motion passed unanimously.
- Motion by C. Leonard, seconded by D. Harris, to accept the suggestion to remove section 1309, Compensation, from the Charter. Motion passed unanimously.
- Motion by D. Harris, seconded by L. Epke, to accept the suggested changes relative to section 1217, Health Benefits for Elected Officials. Motion passed unanimously.

4. Other

None

5. Adjournment

The Commission's April 26, 2008 regular meeting was adjourned at 2:00 pm.

Minutes recorded and compiled by Deborah Pallasch, Secretary.

ATTACHMENT:

Here's the revised letter. I decided to send it to all 8 of you anyway. I think I improved the grammar, punctuation, clarity. Please discard previous letter & read/admit this one. Thank you for your time & consideration.

Dear Cecil and all CRC colleagues,

I apologize for missing 80% of the meetings. Bad health for me, my Dad, my Aunt's death and now her older sister's need to move into an assisted living facility has taxed me greatly. My wife is on sabbatical and has been away for 16 days (home tonight) so I have not had her usual help & encouragement.

10 days ago I lost my computer to a virus for almost a week, stopping my business. I lost the little I had written on the question I was supposed to write.

I hope I helped a little. If I knew all this was going to happen I would never have run for election. In some ways I am happy I did, because I enjoyed getting to work with & know all of you. I hope to work with you again. Someday I'll get on a committee like Historical Pres or Open Space- but not as chairman & not an elected or super-vital committee (like Planning or Budget).

I want to leave you with some thoughts. Please read. (I read all the emails & documents you send—maybe missed the last batch...)

Please indulge my arrogance at lecturing you about the FTM alternative. My views are clear. It pains me to criticize Laura & her subcommittee's work because I know you all have worked 100x the hours I have.

I am lukewarm the idea of an ADR (All Day Referendum), though it is better than having to rely on a petition. I simply like the elected officials formerly "Grand Committee idea" – coming up with one compromise final budget—after which there are no petitions, no ADR. The elected officials would all serve 2 year terms and the failsafe is the possibility of being removed from office, four or sixteen months after the budget adoption, in the town elections. Elected officials do respond to what the voters want & abhor being thrown out. I think John Foley has similar ideas to mine, based on his letter to Cecil last month. I think we are a big, grown up town now. We don't need an ADR, petitions or an FTM. I distrust crybaby rich people who, though they can pay their property taxes with no trouble, seem to want to claim poverty, and have no cares about how tax cuts can damage the growth and culture and future of a town by hurting public education. I do have sympathy with lower and middle income Tivertonians, either with fixed incomes or families, and with properties in the lower third of valuation. I would give property owners over 65 with property valued under \$150,000 a partial tax waiver. Ultimately, the state and federal government, using income taxes needs to direct more state/federal aid to towns for schools and for other areas. Property taxes are a poor base for towns like ours.

I know this is all moot because we have no control over larger funding methods and issues. Meanwhile though we must design a budget approval process which is democratic and republican (small d's and r's), and protects quality education and reasonable municipal services from attack.

I may be too late to comment here (you may have decided), but: As for the ADR, I am adamant and cannot stress enough: you must ONLY have ADRs which present a recommended budget and one alternative. A lesser budget, NOT zero based, but perhaps halfway between the previous year and the recommended increase. Susan says to me: the only thing SATISFYING about the current FTM is that at the very end, 50% or more of the people in the room CHOOSE something and it is final, by a majority. It would be wrong and not a true FTM alternative, to create a situation where less than 50% of the ADR voters choose the final budget. YOU MUST NOT, cannot, allow 2 recommended budgets, or THREE recommended budgets, plus one "NO". As I said, it becomes possible then (though not certain) that either as low as 34% will vote NO, or even 26% will vote NO, throttling the town budget, hurting the schools--- with a minority choosing the budget. It is a perfect invitation to irresponsible tax opponents to kill the budget in many years.

If you have the usual elected suspects in place: Town Council, Budget Comm., School Board, Treasurer and Clerk—23 elected people, decide in April, after public hearings, to present a \$41 million dollar budget (for example), a 3% increase over the previous year, coming to an X/1000 tax rate, then the other choice at the ATM should be something like a 1.5% budget at a Y/1000 rate. Whichever of the two choices gets 50% or more of the vote chooses the budget level & tax rate. It is simple, all can understand it.

NOW: It is important here that if "NO" wins (the 1.5% increase budget), the voters at the ADR should NOT get to choose if the Town Clerk gets less or municipal side or the schools. This is where the last notes I saw and plans from Laura are not a good idea. (Sorry. I think Laura and her group are trying to fine tune this way too much, trying to find a way for the ADR to do far too much. I think that the 9 of us are so much policy wonks we forget that the average voter does not care about this kind of detail, and does not WANT this kind of control.

We will not be able to sell a complex ADR plan to the people- very few will try to understand it or care. Most want the work done for them. Voting for the 23 people is their way of seeing that good budgets happen.

Please, an ADR with TWO choices, one "official" and one lower.

I TRUST the majority of the 23. I trust the voters to turn them out if they screw up.

If you present an FTM alternative of an ADR written much more simply, with TWO choices, I will support you with a vote on the committee, and in November. If a 3 or 4 choice ADR emerges, I will not only vote against it in November, I will write & speak against it.

Please let me know when/where meetings are Saturday or other days if you want me to be there. If you have a Saturday meeting this weekend, if you are now in a 4-4 tie or tussle over a point or two, please

email or call me with time & place & Susan will see I come. I am free at the moment next Wednesday, May 1st. I would like to come but especially if you are again tied 4-4 or in a tussle over an issue. Let me know.

May 3-13th covers our 12th wedding anniversary (May 10th) & Susan is taking me back to our original honeymoon site, the US & British Virgin Islands since she has been working so hard doing research on her sabbatical. So I will be unavailable after May 2nd.

Cecil, thank you, and please distribute this at the next meeting, and enter it into the committee record.

Thank you everyone. I have been most impressed with your work & intellect. Sorry I could not write that question.

Sincerely,

Richard Joslin